**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

VERNA IP HOLDINGS, LLC,	)	
Plaintiff,	)	
	)	**Civil Action No. 6:21-cv-01037-ADA**
v.	)	
	)	
BLACKBERRY CORPORATION,	)	**JURY TRIAL DEMANDED**
Defendant.	)	

PLAINTIFF'S FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Verna IP Holdings, LLC ("VernaIP") files this First Amended Complaint and demand for jury trial seeking relief from patent infringement of the claims of U.S. Patent No. 10,282,960 ("the '960 patent") ("Patent-in-Suit") by Blackberry Corporation ("Blackberry").

I.   THE PARTIES

1.   Plaintiff VernaIP is a New Mexico Limited Liability Company with its principal place of business located in Bernalillo Counrty, New Mexico.

2.   On information and belief, Blackberry is a corporation existing under the laws of the State of Delaware, with a regular and established place of business located at 11501 Alterra Parkway, Suite 410, Domain Seven, Austin, Texas 78758. On information and belief, Blackberry sells and offers to sell products and services throughout Texas, including in this judicial district, and introduces products and services that perform infringing methods or processes into the stream of commerce knowing that they would be sold in Texas and this judicial district. Defendant may be served through its registered agent Corporate Creations Network, Inc., 5444 Westheimer #1000, Houston, TX 77056 or wherever they may be found.

II.   JURISDICTION AND VENUE

3.   This Court has original subject-matter jurisdiction over the entire action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because Plaintiff's claim arises under an Act of Congress relating to patents, namely, 35 U.S.C. § 271.

4.   This Court has personal jurisdiction over Defendant because: (i) Defendant is present within or has minimum contacts within the State of Texas and this judicial district; (ii) Defendant has purposefully availed itself of the privileges of conducting business in the State of Texas and in this judicial district; and (iii) Plaintiff's cause of action arises directly from Defendant's business contacts and other activities in the State of Texas and in this judicial district.

5.   Venue is proper in this district under 28 U.S.C. §§ 1391(b) and 1400(b).   Defendant has committed acts of infringement and has a regular and established place of business in this District. Further, venue is proper because Defendant conducts substantial business in this forum, directly or through intermediaries, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct and/or deriving substantial revenue from goods and services provided to individuals in Texas and this District.

III.   INFRINGEMENT

A. Infringement of the '960 Patent

6.   On May 7, 2019, U.S. Patent No. 10,282,960 ("the '960 patent", attached) entitled "Digitized Voice Alerts" was duly and legally issued by the U.S. Patent and Trademark Office. Verna owns the '960 patent by assignment.

7.   The '960 patent relates to a novel and improved methods, systems and processor-readable media for providing instant/real-time Voice alerts automatically to remote electronic devices.
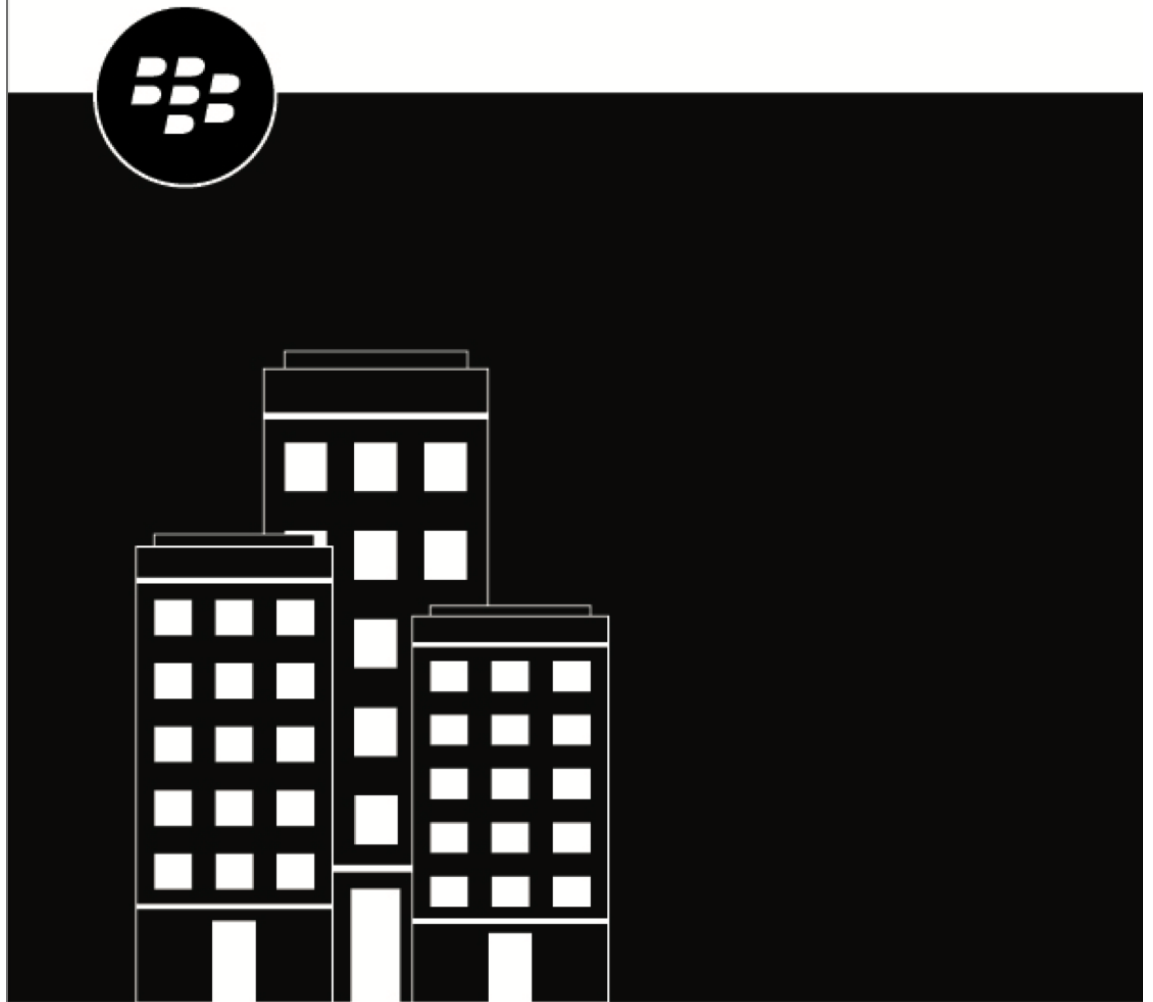
8.   Blackberry maintains, operates, and administers devices/products and systems that infringe one or more claims of the '960 patent, including one or more of claims 1-17, literally or under the doctrine of equivalents. Defendant put the inventions claimed by the '960 Patent into service (i.e., used them); but for Defendant's actions, the claimed-inventions embodiments involving Defendant's products and services would never have been put into service. Defendant's acts complained of herein caused those claimed-invention embodiments as a whole to perform, and Defendant's procurement of monetary and commercial benefit from it.

Support for the allegations of infringement may be found in the following preliminary table:

US10282960 B2	BlackBerry AtHoc management system
1. A method for automatically providing instant voice alerts to remote electronic devices, said method comprising:	![BlackBerry logo] **BlackBerry AtHoc** **Eaton Waves Giant Voice System Installation** **and Configuration Guide** ©2021 BlackBerry Limited. <https://docs.blackberry.com/content/dam/docs-blackberry-com/release-pdfs/en/blackberry-athoc/integrations/giant-voice-integration/BlackBerry-AtHoc-Blackberry.pdf> BlackBerry AtHoc management system has a method for automatically providing instant voice alerts to remote electronic devices. The reference includes subject matter disclosed by the claims of the patent after the priority date.

US10282960 B2	BlackBerry AtHoc management system
registering remote electronic devices to receive notifications via wireless data communications networks from a monitoring system including data files comprising digitized voice alerts;	To create a template that targets end users using Desktop Popup, email, and messages to other devices to inform them of a Giant Voice System test, complete the following steps: 1. Log in to the BlackBerry AtHoc management system as an administrator. 2. Click **Alerts > Alert Templates**. 3. Click **New**. 4. On the **New Template** screen, in the **Alert Template** section, enter a template **Name** and **Description**. 5. Select a folder from the **Folder** list. Select **Test**, if available. 6. Select **Available for quick publish** or **Available for mobile publishing**. 7. Select **Informational** from the **Severity** list. 8. Select **Other** from the **Type** list. 9. In the **Content** section, enter an **Alert Title**. The alert title can be the same as the template name. 10. Enter the text to be read by the text-to-speech in the **Alert Body** field. The alert body should contain the details of the testing with information such as the time testing will start and finish and any actions that should be taken as a result. 11. In the **Target Users** section, select the appropriate targeting group, individual users, or query, to send the pre-test notification to. 12. Click **Select Personal Devices**. 13. Select **Desktop App** and **Email-Personal**. 14. Click **Options** in the top right corner of the **Personal Devices** section. 15. On the **Personal Device Options** screen, select the **App Template** and **App Audio** options from the list. 16. Click **Apply**. 17. In the **Schedule** section, change the **Alert Duration** to the expected duration of the testing. 18. Click **Save**. 19. Click ▣ to go to the Home page. 20. Find the **Giant Voice System Test Notification** template in the **Quick Publish** section. 21. Click the **Review and Publish**. 22. Review the settings and selections. 23. Click **Publish**. To verify that the alert was published correctly, observe the receipt of Desktop Popup or email messages on the POC workstation. <https://docs.blackberry.com/content/dam/docs-blackberry-com/release-pdfs/en/blackberry-athoc/integrations/giant-voice-integration/BlackBerry-AtHoc-Blackberry.pdf> The reference describes registering remote electronic devices to receive notifications via wireless data communications networks from a monitoring system including data files comprising digitized voice alerts [Available for mobile publishing].

US10282960 B2	BlackBerry AtHoc management system
generating and converting a text message indicative of an activity into a data file to be rendered on a remote electronic device as a digitized voice alert, wherein said activity comprises an activity detected at a premises utilizing at least one sensor via a monitoring system also located at the premises and connected to a packetized data network; and	To create a template that targets end users using Desktop Popup, email, and messages to other devices to inform them of a Giant Voice System test, complete the following steps: 1. Log in to the BlackBerry AtHoc management system as an administrator. 2. Click **Alerts** > **Alert Templates**. 3. Click **New**. 4. On the **New Template** screen, in the **Alert Template** section, enter a template **Name** and **Description**. 5. Select a folder from the **Folder** list. Select **Test**, if available. 6. Select **Available for quick publish** or **Available for mobile publishing**. 7. Select **Informational** from the **Severity** list. 8. Select **Other** from the **Type** list. 9. In the **Content** section, enter an **Alert Title**. The alert title can be the same as the template name. 10. Enter the text to be read by the text-to-speech in the **Alert Body** field. The alert body should contain the details of the testing with information such as the time testing will start and finish and any actions that should be taken as a result. 11. In the **Target Users** section, select the appropriate targeting group, individual users, or query, to send the pre-test notification to. 12. Click **Select Personal Devices**. 13. Select **Desktop App** and **Email-Personal**. 14. Click **Options** in the top right corner of the **Personal Devices** section. 15. On the **Personal Device Options** screen, select the **App Template** and **App Audio** options from the list. 16. Click **Apply**. 17. In the **Schedule** section, change the **Alert Duration** to the expected duration of the testing. 18. Click **Save**. 19. Click ▣ to go to the Home page. 20. Find the **Giant Voice System Test Notification** template in the **Quick Publish** section. 21. Click the **Review and Publish**. 22. Review the settings and selections. 23. Click **Publish**. To verify that the alert was published correctly, observe the receipt of Desktop Popup or email messages on the POC workstation. <https://docs.blackberry.com/content/dam/docs-blackberry-com/release-pdfs/en/blackberry-athoc/integrations/giant-voice-integration/BlackBerry-AtHoc-Blackberry.pdf> The reference describes generating and converting a text message indicative of an activity into a data file to be rendered on a remote electronic device as a digitized voice alert [Enter the text to be read by the text-to-speech in the Alert Body field], wherein said activity comprises an activity detected at a premises utilizing at least one sensor via a monitoring system also located at the premises and connected to a packetized data network [Email-Personal].

US10282960 B2	BlackBerry AtHoc management system
transmitting said data file through the packetized data network for receipt by at least one remote electronic device that is registered to communicate remotely with the monitoring system and to receive messages over the packetized data network for rendering of the digitized voice alert from the data file and that communicates with said data network via wireless data communications, wherein the data file is processed at the at least one remote electronic device for an automatic audio announcement of said digitized voice alert through said at least one remote electronic device.	To create a template that targets end users using Desktop Popup, email, and messages to other devices to inform them of a Giant Voice System test, complete the following steps: 1. Log in to the BlackBerry AtHoc management system as an administrator. 2. Click **Alerts** > **Alert Templates**. 3. Click **New**. 4. On the **New Template** screen, in the **Alert Template** section, enter a template **Name** and **Description**. 5. Select a folder from the **Folder** list. Select **Test**, if available. 6. Select **Available for quick publish** or **Available for mobile publishing**. 7. Select **Informational** from the **Severity** list. 8. Select **Other** from the **Type** list. 9. In the **Content** section, enter an **Alert Title**. The alert title can be the same as the template name. 10. Enter the text to be read by the text-to-speech in the **Alert Body** field. The alert body should contain the details of the testing with information such as the time testing will start and finish and any actions that should be taken as a result. 11. In the **Target Users** section, select the appropriate targeting group, individual users, or query, to send the pre-test notification to. 12. Click **Select Personal Devices**. 13. Select **Desktop App** and **Email-Personal**. 14. Click **Options** in the top right corner of the **Personal Devices** section. 15. On the **Personal Device Options** screen, select the **App Template** and **App Audio** options from the list. 16. Click **Apply**. 17. In the **Schedule** section, change the **Alert Duration** to the expected duration of the testing. 18. Click **Save**. 19. Click ◨ to go to the Home page. 20. Find the **Giant Voice System Test Notification** template in the **Quick Publish** section. 21. Click the **Review and Publish**. 22. Review the settings and selections. 23. Click **Publish**. To verify that the alert was published correctly, observe the receipt of Desktop Popup or email messages on the POC workstation. <https://docs.blackberry.com/content/dam/docs-blackberry-com/release-pdfs/en/blackberry-athoc/integrations/giant-voice-integration/BlackBerry-AtHoc-Blackberry.pdf> The reference describes transmitting said data file through the packetized data network for receipt by at least one remote electronic device that is registered to communicate remotely with the monitoring system and to receive messages over the packetized data network for rendering of the digitized voice alert from the data file and that communicates with said data network via wireless data communications [Personal Devices], wherein the data file is processed at the at least one remote electronic device for an automatic audio announcement of said digitized voice alert through said at least one remote electronic device.[Giant Voice System Test Notification].

US10282960 B2	**Blackberry: WAVES AtHoc Interface for integrated mass notification**
1. A method for automatically providing instant voicealerts to remote electronic devices, said method comprising:	**Technical Data TD450155EN** Effective June 2019 WAVES-API-8022 # WAVES AtHoc Interface for integrated mass notification © 2019 Eaton <https://www.Blackberry.com/content/dam/Blackberry/products/safety-security- emergency-communications/lsmns/waves/ibs/waves-athoc-interface-cm-data-sheet-TD450155EN.pdf> Blackberry: WAVES AtHoc Interface for integrated mass notification has a method forautomatically providing instant voice alerts to remote electronic devices. The reference includes subject matter disclosed by the claims of the patent after the priority date.

US10282960 B2	Blackberry: WAVES AtHoc Interface for integrated mass notification
registering remote electronic devices to receive notifications via wireless data communications networks from a monitoring system including data files comprising digitized voice alerts;	The WAVES AtHoc Interface provides interoperability between the WAVES wide-area and in-building Mass Notification Systems (MNS) and AtHoc's Distributed Recipient MNS, AtHoc Alert, which distributes messages to computers, phones (cell, landline, VoIP), social media, and digital display signs. This integration allows operators to send text to speech messages and audio files from AtHoc to WAVES. From AtHoc, operators can also activate pre-defined WAVES scripts. The AtHoc integration enables WAVES to be used in locations that employ secure networks. The WAVES AtHoc interface (WAVES-API-8022) enables the organization to communicate emergency information. This interoperability allows the AtHoc system to send a message through WAVES to targeted devices or groups of devices on the WAVES network such as High Power Speaker Arrays (HPSAs) and in-building Autonomous Control Units (ACUs). <https://www.Blackberry.com/content/dam/Blackberry/products/safety-security- emergency-communications/lsmns/waves/ibs/waves-athoc-interface-cm-data-sheet-TD450155EN.pdf>

US10282960 B2	Blackberry: WAVES AtHoc Interface for integrated mass notification
generating and converting a text message indicative of an activity into a data file to be rendered on a remote electronic device as a digitized voice alert, wherein said activity comprises an activity detected at a premises utilizing at least one sensor via a monitoring system also located at the premises and connected to a packetized data network; and	The WAVES AtHoc Interface provides interoperability between the WAVES wide-area and in-building Mass Notification Systems (MNS) and AtHoc's Distributed Recipient MNS, AtHoc Alert, which distributes messages to computers, phones (cell, landline, VoIP), social media, and digital display signs. This integration allows operators to send text to speech messages and audio files from AtHoc to WAVES. From AtHoc, operators can also activate pre-defined WAVES scripts. The AtHoc integration enables WAVES to be used in locations that employ secure networks. The WAVES AtHoc interface (WAVES-API-8022) enables the organization to communicate emergency information. This interoperability allows the AtHoc system to send a message through WAVES to targeted devices or groups of devices on the WAVES network such as High Power Speaker Arrays (HPSAs) and in-building Autonomous Control Units (ACUs). <https://www.Blackberry.com/content/dam/Blackberry/products/safety-security- emergency-communications/lsmns/waves/ibs/waves-athoc-interface-cm-data-sheet-TD450155EN.pdf>

US10282960 B2	Blackberry: WAVES AtHoc Interface for integrated mass notification
transmitting said data file through the packetized data network for receipt by at least one remote electronic device that is registered to communicate remotely with the monitoring system and to receive messages over the packetized data network for rendering of the digitized voice alert from the data file and that communicates with said data network via wireless data communications, wherein the data file is processed at the at least one remote electronic device for an automatic audio announcement of said digitized voice alert through said at least one remote electronic device.	The WAVES AtHoc Interface provides interoperability between the WAVES wide-area and in-building Mass Notification Systems (MNS) and AtHoc's Distributed Recipient MNS, AtHoc Alert, which distributes messages to computers, phones (cell, landline, VoIP), social media, and digital display signs. This integration allows operators to send text to speech messages and audio files from AtHoc to WAVES. From AtHoc, operators can also activate pre-defined WAVES scripts. The AtHoc integration enables WAVES to be used in locations that employ secure networks. The WAVES AtHoc interface (WAVES-API-8022) enables the organization to communicate emergency information. This interoperability allows the AtHoc system to send a message through WAVES to targeted devices or groups of devices on the WAVES network such as High Power Speaker Arrays (HPSAs) and in-building Autonomous Control Units (ACUs). <https://www.Blackberry.com/content/dam/Blackberry/products/safety-security- emergency-communications/lsmns/waves/ibs/waves-athoc-interface-cm-data-sheet-TD450155EN.pdf>

9. These allegations of infringement are preliminary and are therefore subject to change.

10. Blackberry has and continues to induce infringement. Blackberry has actively encouraged

    or instructed others (e.g., its customers and/or the customers of its related companies), and

    continues to do so, on how to use its products and services (e.g., alert notification) such as

    to cause infringement of one or more of claims 1–17 of the '960 patent, literally or under

the doctrine of equivalents. Moreover, Blackberry has known of the '960 patent and the technology underlying it from at least the date of the filing of the lawsuit. [1]

11. Blackberry has and continues to contributorily infringe. Blackberry has actively encouraged or instructed others (e.g., its customers and/or the customers of its related companies), and continues to do so, on how to use its products and services (e.g., alert notification) such as to cause infringement of one or more of claims 1–17 of the '960 patent, literally or under the doctrine of equivalents. To be clear, Blackberry dirtectly infringes one or more of claims 1-17 of the '960 patent, as provided herein. The Blackberyy products further have no noninfringin uses. Further, Blackberry's products are a material part of the claimed invention as they are the cmplete inventon. Moreover, Blackberry has known of the '960 patent and the technology underlying it from at least the date of the filing of the lawsuit.[2]

12. Blackberry has caused and will continue to cause VernaIP damage by direct and indirect infringement of (including inducing infringement of) the claims of the '960 patent.

IV.   JURY DEMAND

VernaIP hereby requests a trial by jury on issues so triable by right.

V.   PRAYER FOR RELIEF

WHEREFORE, VernaIP prays for relief as follows:

a.   enter judgment that Defendant has infringed the claims of the Patents-in-Suit;

b.   award VernaIP damages in an amount sufficient to compensate it for Defendant's infringement of the Patent-in-Suit in an amount no less than a reasonable royalty or lost

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[1] VernaIP reserves the right to amend this date of knowledge through discovery.
[2] VernaIP reserves the right to amend this date of knowledge through discovery.

profits, together with pre-judgment and post-judgment interest and costs under 35 U.S.C.

§ 284;

c.   award VernaIP an accounting for acts of infringement not presented at trial and an award

by the Court of additional damage for any such acts of infringement;

d.   declare this case to be "exceptional" under 35 U.S.C. § 285 and award VernaIP its

attorneys' fees, expenses, and costs incurred in this action;

e.   declare Defendant's infringement to be willful and treble the damages, including attorneys'

fees, expenses, and costs incurred in this action and an increase in the damage award

pursuant to 35 U.S.C. § 284;

f.   a decree addressing future infringement that either (i) awards a permanent injunction

enjoining Defendant and its agents, servants, employees, affiliates, divisions, and

subsidiaries, and those in association with Defendant from infringing the claims of the

Patents-in-Suit, or (ii) awards damages for future infringement in lieu of an injunction in

an amount consistent with the fact that for future infringement the Defendant will be an

adjudicated infringer of a valid patent, and trebles that amount in view of the fact that the

future infringement will be willful as a matter of law; and

g.   award VernaIP such other and further relief as this Court deems just and proper.

                                        Respectfully submitted,

                                        Ramey & Schwaller, LLP

                                        William P. Ramey, III
                                        Texas State Bar No. 24027643

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CERTIFICATE OF SERVICE

Pursuant to the Federal Rules of Civil Procedure and Local Rule CV-5, I hereby certify that all counsel of record who have appeared in this case are being served on this day of January 3, 2022, with a copy of the foregoing via e-mail.

/s/ William P. Ramey, III
William P. Ramey, III